

# **EXHIBIT**

# **23**

SUPREME COURT: COUNTY OF NEW YORK

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R & J CONSTRUCTION CORPORATION :

Plaintiff, : Index No. 113225/03

- against - :

TRATAROS CONSTRUCTION, INC.

RELIANCE INSURANCE COMPANY, TRAVELERS :

CASUALTY SURETY COMPANY OF AMERICA, :

THE DORMITORY AUTHORITY STATE OF NEW :

YORK, ALEXANDRIA TILE CORP., AMERICAN :

WOODS & VENEER WORKS, INC., :

ARCHITECTURAL MILLWORK INSTALLATION :

CORP., BARTEC INDUSTRIES, INC., :

BAYSIDE FENCING, INC., COMPONENT :

ASSEMBLY SYSTEMS INC., CONSTRUCTAMAX, :

INC., CRAFT-TECH MFG CORP., :

G.M. CROCKETT INC., GOETZ FITZPATRICK, :

LLP, KLEPP WOOD FLOORING CORP., :

L & L PAINTING CO., INC., :

LBL SKYSYSTEMS CORPORATION, PORTER :

ATHLETIC EQUIPMENT CO., REIDMAN :

CONSTRUCTION CORP., and UNIVERSAL :

SERVICES GROUP LTD., and TRAVELERS :

CASUALTY AND SURETY COMPANY. :

Defendants. :

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Stipulation of  
Discontinuance of  
R & J's Claims  
Against Trataros,  
Reliance, Travelers,  
and DASNY

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IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys of record for the plaintiff R & J Construction Corporation ("R&J") and defendants Trataros Construction, Inc. ("Trataros"), Reliance Insurance Company ("Reliance"), Travelers Casualty Surety Company of America, ("TCSCA") and Travelers Casualty and Surety Company ("TC&SC") (Trataros, Reliance, TC&SC and TCSCA hereinafter collectively "Travelers Defendants") and defendant Dormitory Authority State of New York, ("DASNY") that whereas no party is an infant or incompetent person for whom a committee has been appointed and no

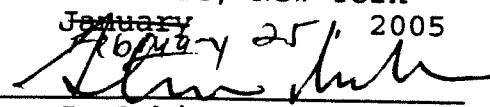
person not a party has an interest in the subject matter of the action that (1) all claims, causes of action, counterclaims, and cross-claims by and between R & J and the Travelers Defendants and (2) claims by R & J against DASNY set forth in the above entitled action arising under or in connection with Baruch College - Site B, Package No. 1 - General Construction Work, Contract No. 15, DA #6500 1802 2176. ("Prime Contract no. 15") and Baruch College - Site B, Package No. 2 - General Construction Work, Contract No. 16, DA #6500 1802 2178. ("Prime Contract no. 16") are withdrawn and discontinued pursuant to the terms and conditions of the stipulation of settlement of R & J claims dated ~~January~~ <sup>February 23</sup>, 2005 in the above entitled action.


This stipulation may be signed in counterpart signature pages and facsimile signatures shall be considered as original.


This stipulation may be filed with the clerk of the court without further notice.

Dated: Melville, New York

~~January~~ <sup>February 25</sup>, 2005

  
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